

ATTENTION ATTENTION ATTENTION

DATE PROCESSED : 1 / 7 / 2003 PROCESSED BY : L.S.

ACH PAYMENT

26
2/9/04
Sj

Attached is the most current ACH Information

EtechCenter 2675

TREASURY CHECK

The Most Current ACH Information Was Requested From This Customer With The Purpose Of Processing His Refund Request By Electronic Fund Transfer(EFT). No EFT Information Was Received

Therefore, If Customer Is Due A Refund:

A CHECK WILL BE ISSUED.

CREDIT TO DEPOSIT ACCOUNT

09/251,519

This Request for Refund Will Be Processed By Crediting Deposit Account Number 23-1123, If Customer Is Due A Refund.

ATTENTION ATTENTION ATTENTION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT AND TRADEMARK
OFFICE

First Named Inventor : Steven Bathiche et al.
Appln. No.: 09/251,519
Filed : February 17, 1999
For : TWO-HANDED COMPUTER INPUT DEVICE WITH ORIENTATION SENSOR
Docket No.: M61.12-0101

Group Art Unit: 2645 2-24
Examiner: SS Kumar
PATENT & TRADEMARK
OFFICE

REQUEST FOR REFUND
(37 C.F.R. 1.26)

Mail Stop 16
Director of the U.S. Patent and
Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
DIRECTOR OF THE U.S. PATENT AND TRADEMARK
OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-
1450, THIS

31st DAY OF December, 2003

James R. Stango
PATENT ATTORNEY

Sir:

This request for refund is made as a result of a mistaken fee paid on May 9, 2003 in an amount of \$320.00 and a mistaken fee paid on July 8, 2003 in an amount of \$320.00.

On March 15, 2002 a Notice of Appeal (see attached Exhibit A) and a check (see attached Exhibit B) in the amount of \$1,130.00 were mailed in the above-identified case. Of the total amount in the check, \$320.00 of it was designated for a Notice of Appeal fee. On June 13, 2002 an Appeal Brief and PTO-2038 (see attached Exhibit C) were mailed. Of the total PTO-2038 amount of \$430.00, \$320.00 of it was designated for the Appeal Brief. On September 11, 2002 we received a Non-Final Office Action with an explanation that the Examiner had withdrawn finality and rejected all pending claims with a new ground of rejection. Following another final rejection issued by the Examiner on February 11, 2003 we filed another Notice of Appeal on May 9, 2003 with a check (see attached Exhibit D) in the amount of \$320.00. On July 8, 2003, another

Repln. Ref: 02/09/2004 SJORDAN 0012412700

DA#231123 Name/Number:09251519

FC: 9204

\$320.00 CR

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-2-

2004 JAN -6 PM 2:24

Appeal Brief was filed with a check (see attached US PATENT EXHIBIT TRADEMARK
the amount of \$320.00. OFFICE)

According to M.P.E.P. §1208.03 "if prosecution was reopened prior to a decision on the merits by the Board of Patent Appeals and Interferences, the fee paid for the Notice of Appeal, Appeal Brief, and request for oral hearing (if applicable) will be applied to a later appeal on the same application." Therefore, the Applicant has mistakenly paid fees of \$320.00 for the Notice of Appeal on May 9, 2003 and \$320.00 for the Appeal Brief on July 8, 2003.

It is respectfully requested that a refund in the amount of \$640.00 be made. Please make the refund by crediting account number 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:


Leanne R. Taveggia, Reg. No. 53,675
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

LRT/jme

PATENT MAINTENANCE
DIVISION

EXHIBIT

A

2004 JAN -6 PM 2:24^{IN} THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
US PATENT & TRADEMARK
OFFICE : Steven Bathiche et al.

Appln. No.: 09/251,519

Filed : February 17, 1999

For : TWO-HANDED COMPUTER INPUT
DEVICE WITH ORIENTED SENSOR

Docket No.: M61.12-0101

Group Art Unit: 2675

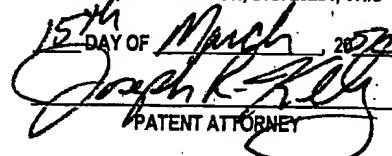
Examiner: S. Kumar

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

DOCKETED	JW
RESPONSE DUE	5-15-02
CALENDARDED	5-15-02
CHECKED BY ATTY	9-15-02

Assistant Commissioner for Patents
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST CLASS, TO
THE ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, D.C. 20231, THIS

15th DAY OF March 2002

Joseph R. Kelly
PATENT ATTORNEY

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed September 17, 2001, finally rejecting claims 1-20, 22 and 23.

FEE STATUS

[] Small entity status under 37 C.F.R. §§ 1.9 and 1.27 is established by a verified statement previously filed on ---.

FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b) the fee for filing the Notice of Appeal is:

<input checked="" type="checkbox"/> other than a small entity	\$320.00
<input type="checkbox"/> small entity	\$160.00

EXTENSION OF TIME

These proceedings are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(a) [X] Applicant petitions for an extension of time under 37 C.F.R. § 1.17(a)-(d) for the total number of months checked below:

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204 JAN -6 PM 2:24

-2-

US PATENT & TRADEMARK OFFICE	Extension <u>months</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[] one month		\$ 110.00	\$ 55.00
[] two months		\$ 400.00	\$200.00
[X] three months		\$ 920.00	\$460.00
[] four months		\$1,440.00	\$720.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[X] An extension for one month has already been secured and the fee paid therefor of \$110 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$810
or

(b) [] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$320

Extension fee (if any) \$810

Total Fee Due \$1130.00

FEE PAYMENT

[X] A check in the amount of \$1130.00 is attached.

[] Charge Deposit Account No. 23-1123, the sum of \$.

The Director is authorized to charge any additional fees associated with this paper or credit any overpayment to

PATENT MAINTENANCE
DEPARTMENT

-3-

Deposit Account No. 23-1123.

A duplicate copy of this

communication is enclosed.

2004 JAN -6 PM 2:24
US PATENT & TRADEMARK
OFFICE

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Joseph R. Kelly, Reg. No. 34,847
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

JRK:slg

PATENT AND TRADEMARK
OFFICE

2001 JAN - 6 PM 2:24

US PATENT & TRADEMARK
OFFICE

Receipt is hereby acknowledged the Assistant Commissioner of Patents and Trademarks of the following items in the matter of:
Applicant : Steven Bathiche et al.
Serial No./Patent No. : 09/251,519
Filed/Issued : February 17, 1999
Title/Mark : TWO HANDED COMPUTER INPUT DEVICE
WITH ORIENTED SENSOR

1. Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences
2. Check \$1,130.00

EXHIBIT

B

Atty/Sec JRK:slg Date: 3/15/02 File No. M61.12-0101

WESTMAN, CHAMPLIN & KELLY, P.A.

2486

DATE	DESCRIPTION	INVOICE #	CHECK	AMOUNT	DEDUCTION	NET AMOUNT
Commissioner of Patents and Trademarks 03/14/02 Client Expense - M61.12-0101	- slg			1130.00		1130.0
Client Ref.: 113978.1						
Date Sent: 3/19/02						
Sent By: Susan						

CHECK DATE	CONTROL NUMBER	TOTALS ►	GROSS:	NET:
03/14/02	25357		1130.00	1130.0

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PH. 612-334-3222 FAX 612-334-3312
900 2ND AVE S. INTERNATIONAL CENTRE SUITE 1500
MINNEAPOLIS, MN 55402-3319

WELLS FARGO BANK MINNESOTA, N.A.
MINNEAPOLIS, MN 55479
17-1910

2486

DATE: 03/14/02 CHECK: #1130.00
AMOUNT: \$1,130.00

PAY
TO THE
ORDER
OF

*** ONE THOUSAND ONE HUNDRED THIRTY 4.00/100 DOLLARS

Commissioner of Patents and Trademarks

"024865" "091000019139704 26487"

Aletha B. Meier

PATENT MAINTENANCE
DRAFT

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PTO-2038 (02-2000)

Approved for use through 01/31/2003. OMB 0651-0043

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

US PATENT & TRADEMARK
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United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

EXHIBIT

C

United States Patent & Trademark Office
Credit Card Payment Form
Please Read Instructions before Completing this Form

Credit Card Information

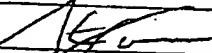
Credit Card Type: Visa MasterCard American_Express Discover

Credit Card Account # 41900877151.

Credit Card Expiration Date: 06/03

Name as it Appears on Credit Card: Steven M. Koehler

Payment Amount \$(US Dollars): \$430.00

Signature: 

Date: 01/13/02

Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.

Service Charge: There is a 50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21 (m)).

Credit Card Billing Address

Street Address 1: 35 Crystal Creek Road

Street Address 2:

City: Orono

State: Minnesota

Zip/Postal Code: 55356

Country: U.S.A.

Daytime Phone #: (612) 334-3222

Fax #: (612) 334-3312

Request and Payment Information

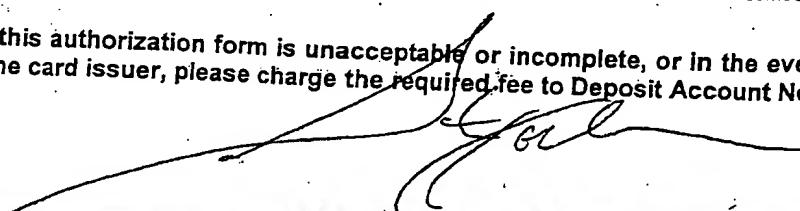
Description of Request and Payment Information:

Appeal Brief & Extension of Time

Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. <i>09/251,519</i>	Application No.	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. <i>MN0142-0101</i>		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent & Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

In the event this authorization form is unacceptable or incomplete, or in the event that the charge is rejected by the card issuer, please charge the required fee to Deposit Account No. 23-1123.*



BC

WESTMAN, CHAMPLIN & KELLY, P.A.

2895

DATE	DESCRIPTION	PATENT INVOICE #	RECEIPT DATE	CHECK AMOUNT	DEDUCTION	NET AMOUNT
05/09/03	Commissioner of Patents and Trademarks Client Expense - M61.12-0101 - jme	2004 JAN - 6 PH 2:24				
	US PATENT & TRADEMARK OFFICE			320.00		320.00

EXHIBIT

D

CHECK DATE	CONTROL NUMBER	TOTALS ►
05/09/03	28965	Gross: 320.00 Bed: 0.00 Net: 320.00

WESTMAN, CHAMPLIN & KELLY, P.A.
PH. 612-334-3222 FAX 612-334-3312
900 2ND AVE. S., INTERNATIONAL CENTRE, SUITE 1600
MINNEAPOLIS, MN 55402-3319

HIGHLAND BANK
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75-1637-919

2896

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Commissioner of Patents and Trademarks

DATE	CHECK	AMOUNT
05/09/03		

"028965" "091916378" 111000803

Receipt is hereby acknowledged by the Assistant Commissioner of Patents and Trademarks of the following items in the matter of:

Applicant : Steven Bathiche
Serial No./Patent No.: 09/251,519
Filed/Issued : February 17, 1999
Title/Mark : TWO-HANDED COMPUTER INPUT DEVICE WITH
ORIENTATION SENSOR

1. Associate Power of Attorney
2. Notice of Appeal
3. Check in the amount of \$320.00

Repln. Ref: 02/09/2004 SJORDAM 0012412700

DAH:231123 Name/Number:09251519

FC: 9284 \$320.00 CR

Atty/Sec LRT/jme Date: 5/9/03 File No. M61.12-0101

WESTMAN, CHAMPLIN & KELLY, P.A.

2971

DATE	DESCRIPTION	PATENT MAINTENANCE DIVISION	INVOICE #	CHECK	AMOUNT	DEDUCTION	NET AMOUNT
7/8/03	fee for Appeal Brief CLH/jme M61.12-0101						\$320.00

2004 JAN - 6 PM 2:24

US PATENT & TRADEMARK
OFFICE

EXHIBIT

E

CHECK DATE CONTROL NUMBER

7/8/03	29716	TOTALS ►	\$320.00
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WESTMAN, CHAMPLIN & KELLY, P.A.

PH. 612-334-3222 FAX 612-334-3312
900 2ND AVE. S. INTERNATIONAL CENTRE SUITE 1600
MINNEAPOLIS MN 55402-3319

HIGHLAND BANK
ST. PAUL, MINNESOTA 55116
75-1637-919

DATE	CHECK	AMOUNT
7/8/03		\$320.00

PAY TO THE ORDER OF THREE HUNDRED TWENTY AND NO/100 DOLLARS

Commissioner for Patents

1029716 1091916378 111000303

Receipt is hereby acknowledged by the Assistant Commissioner of Patents and Trademarks of the following items in the matter of:

Applicant : Steven Bathiche et al.
Serial No./Patent No.: 09/251,519
Filed/Issued : February 17, 1999
Title/Mark : TWO-HANDED COMPUTER INPUT DEVICE WITH ORIENTATION SENSOR

1. Brief for Appellant (in triplicate)
2. Check in the amount of \$320.00

Repln. Ref: 02/09/2004 SJORDAN 0012441900
DA#231123 Name/Number:09251519

FC: 9204

\$320.00 CR

Atty/Sec LRT/jme Date: 7/8/03 File No. M61.12-0101